

## Remarks

This amendment is responsive to the final office action. Amendments D and E were not considered and should not be considered as this amendment supercedes them.

Claims 1 and 16 are being amended to overcome the final office action rejections under 101 and 112, second paragraph. Support for these amendments is provided in the specification including, without limitation, at page 3, lines 1-2, page 3, lines 21-22, page 4, lines 12-15).

The steps in the claim perform the function of the preamble, and the subject matter of the claim is statutory subject matter under 35 U.S.C. 101, as ruled by Ex Parte Heckerman

<http://www.uspto.gov/go/dcom/bpai/decisions/fd992314.pdf>, 2002 WL 32334610 (BPAI Aug 23, 2006). That case specifies that manipulation of data that permits predictions to be made about the real world is not abstract, and is thus, statutory subject matter under 35 U.S.C. 101.

The amendment should also serve to address the 112 issue because again, the steps in the claim perform the function of the preamble.

The claims are in condition for allowance. Favorable  
action is solicited.

Respectfully submitted,

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